



DEPARTMENT OF HEALTH & HUMAN SERVICES

Food and Drug Administration
Rockville MD 20857

December 23, 1999

Jonathan W. Emord
Emord & Associates, P.C.
1050 Seventeenth Street, N.W.
Suite 600
Washington, DC 20036

On behalf of Julian M. Whitaker, M.D.;
Durk Pearson and Sandy Shaw;
American Preventive Medical Association;
Pure Encapsulations, Inc.

Dear Mr. Emord:

Your petition requesting the Food and Drug Administration to immediately reverse its decision to postpone indefinitely evaluation of the pending petitioned **claims** under the mandated First Amendment disclaimer standard of Pearson and, instead, conduct the First Amendment evaluation without delay **was** received by this office on 12/22/99. It was assigned docket numbers 91N-0101/PRC 1; 91N-0098/PRC 1; 91N-0103/PRC 1; and 91N-100H/PRC 1 and it was filed on 12/23/99. Please refer to this docket number in future correspondence on this subject with the Agency.

Please note that the acceptance of the petition for filing is a procedural matter in that it in no way reflects an agency decision on the substantive merits of the petition.

Sincerely,

Lyle D. Jaffe
Dockets Management Branch

91N-0098

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